

MINUTES

**McDowell Sonoran Preserve Commission
Community Development Conference Room
1st Floor, One Civic Center, 7447 E. Indian School Road
October 2, 2003
5:00 p.m.**

CALL TO ORDER

The meeting was called to order at 5:05 p.m.

ATTENDANCE

Present: Christine Kovach, Vice-Chair
Dennis Carr
Laura Fisher
Virginia Korte
Howard Myers
Arnold Roy
Don Ruff
Solange Whitehead

Absent: Les Conklin
Erik Filsinger

Staff: Bob Cafarella
Claire Miller
Don Meserve
Larry Person

Visitors: Carla and Davida Schiffman Smith

APPROVAL OF MINUTES

MOTION WAS MADE BY Commissioner Korte TO APPROVE THE SEPTEMBER 4, 2003 MINUTES AS PRESENTED. MOTION WAS SECONDED BY Commissioner Ruff, WHICH CARRIED unanimously 8 TO 0.

SUPPORT OF SOLFEST

Mr. Person stated that Ed Gawf, the Deputy City Manager, came to the Environmental Quality Advisory Board (EQAB) many months ago with his vision for the environment and environmental issues including finding some type of premiere environmental event to galvanize the citizens, staff and the school children. He further stated the SolFest Group came to the EQAB a few months later and provided information on the SolFest Event they have conducted in Northern California for eight years, noting they would like to have a SolFest Event here in Scottsdale.

He reported the SolFest Event would be held on Saturday and Sunday at the City's Westworld facility, and they would like to combine a Friday event for school age kids to educate them on environmental issues. He further reported they have been talking to Valley Forward Association regarding partnering with them and combining their Earthfest Event on Earth Day with the Friday event for school age children. He further reported Valley Forward is considering combining events right now and the City would hear back from them next week.

Mr. Person reported the Environmental Quality Advisory Board (EQAB) was asking for support from the McDowell Sonoran Preserve Commission for the City of Scottsdale creating an earth day event for Scottsdale citizens and form a sponsorship agreement for a three-day SolFest event at Westworld April 16-18, 2004 to celebrate Earth Day and provide an educational experience for Scottsdale students and families.

Commissioner Myers inquired if they would be showcasing what Scottsdale is doing specifically as it relates to the environment. Mr. Person stated they are working with all of the City programs that make sense to have a presence at this event. He further stated there would be a booth dedicated to the Preserve. Commissioner Myers stated another topic that would fit in with this event is designing houses for this harsh environment.

Mr. Person reported that the Environmental Quality Advisory Board passed a resolution requiring all future city buildings that are constructed and all major renovations to city buildings be built to the LEED silver standard level on the green building system.

Commissioner Whitehead stated she would encourage them to incorporate information on what people with existing homes can do to make their homes better and how to deal with Homeowners Associations (HOAs). She further stated right now most HOAs make it difficult or do not permit adding solar to existing homes. Mr. Person stated the Green Building Subcommittee has come up with remodeling guidelines developed for the average citizen to make their remodels more energy efficient.

Commissioner Fisher inquired if the booths at the children's event would be interactive to keep their interest. Mr. Person replied in the affirmative.

Commissioner Solange stated if they are interested in having native animals at the children's event there is a rehab group that would provide them.

A RESOLUTION WAS MADE by Commissioner Ruff NOW, THEREFORE BE RESOLVED by the City of Scottsdale McDowell Sonoran Preserve Commission as follows:

The McDowell Sonoran Preserve Commission strongly recommends that the City of Scottsdale create an earth day event for Scottsdale citizens and form a sponsorship agreement for a three-day SolFest event at WestWorld April 16-18, 2004 to celebrate Earth Day and Provide an educational experience for Scottsdale students and families.

RESOLUTION WAS SECONDED by Commissioner Arnold, WHICH CARRIED UNANIMOUSLY, 8-0.

HIDDEN HILLS ACCESS AREA PLANNING

Mr. Cafarella stated that there was not much new to report. They met with the designer and they are now turning their attention to the design of the trailheads. He further stated that they will be taking the

renderings to the neighborhood to show people exactly what is planned. He reported the Development Review Board (DRB) date has not been set.

PROGRESS REPORT TO CITY COUNCIL

Mr. Cafarella passed out a draft of the McDowell Sonoran Preserve Commission Progress Report to City Council noting it would be finalized tomorrow. He further reported the Progress Report would be presented to City Council on October 7th. He reported the City Council has requested that they just submit the report packet and not have the Chair of the Commission make a presentation.

Vice-Chair Kovach requested, after the commissioners' have had a chance to have an in-depth review of the report, to contact Mr. Cafarella with any comments.

MCDOWELL SONORAN MONTH ACTIVITIES

Ms. Miller passed out a flier that listed the McDowell Sonoran Month activities for October 2003. In addition to the events listed on the flier there would be an equestrian event held on Sunday, October 19th at Brown's Ranch.

Carla, Director, McDowell Sonoran Land Trust, reported on October 5, 2003, at the Fountain Hills City Hall there will be an open house and one of the topics will be what is happening with the two sections of State Trust Land between Fountain Hills and the County park that is about to lose API reclassification. She also mentioned that a national group, the Land Trust Alliance, will also be holding their annual rally in October.

STATE TRUST LANDS WORKING GROUP

Carla stated that she did not have anything different to report from the last update. She further stated it is getting to be crunch time to get the measures on the November 2004 ballot. The Working Group would be presenting constitutional and statutory changes to the voters as two separate ballot questions. She provided information on the legislative process. Carla reported the Working Group has proposed a Board of Trustees be created to help the State Land Commissioner make decisions.

Commissioner Carr inquired when is crunch time. Carla replied November.

Vice-Chair Kovach inquired about the connection of their Enabling Act with New Mexico's Enabling act. Carla stated because they have the same Enabling Act and the changes go through Congress, New Mexico had serious concerns that the changes could set a precedent and the stage would be set to change theirs.

MCDOWELL SONORAN PRESERVE ACCESS AREA DESIGN AND SITE STANDARDS MANUAL

Mr. Cafarella passed out a copy of the McDowell Sonoran Preserve Access Area Design and Site Standards manual. He reported this is a blueprint for all of the access area amenities. He further reported the manual would go through the Development Review Board process and be the master plan for all access areas.

Commissioner Myers inquired, if this is approved by the Development Review Board and is approved as the design standards for access areas, would future access areas have to go through the DRB. Mr.

Cafarella replied the intent would be, if the plan conforms to the guidelines, they would receive staff approval and move forward. He noted that the concern is regarding the level of public input, but stated that Preservation has had in practice much more public involvement than is typically required prior to a Development Review Board hearing.

Ms. Miller reported the manual is also available on CD format on PDF files if anyone is interested. Several Commissioners requested the manual on a CD.

DIRECTOR'S REPORT

Mr. Cafarella reported staff is continuing their negotiations with the Toll Brothers to acquire the 382 acres of land at Bell Road and Thompson Peak Parkway and there is nothing new to report on that front.

Commissioner Myers requested information regarding what the Toll Brothers purchased the land for and what they are asking for. Mr. Cafarella stated that is part of the negotiation process but he would share the information because it has already been made public in a local newspaper. The Toll Brothers purchased it for \$85,000 per acre, which includes all costs, and they are asking \$189,000 per acre. The City is interested in purchasing 382 acres of their 780 acres for the Preserve.

Commissioner Carr inquired how long they would continue to negotiate. Mr. Cafarella stated they would not continue to negotiate indefinitely but towards the end of October or early November the City Council would provide direction to staff.

Commissioner Whitehead stated she lives in this area and a lot of citizens ask her what they can do because they see this as being wrong. She inquired if staff had any suggestions regarding ways citizens can help support the City. Mr. Cafarella stated that is a good question but it is difficult for city staff to provide insightful hints. He further stated that because the commissioners' have more insight than the average person does on the situation they could present the actual situation.

Mr. Cafarella commented that the Ad Hoc Funding Committee met with the City Manager and the Committee would be requesting a joint meeting with the Commission later this month to review their recommendations.

Vice-Chair Kovach requested that prior to the special joint meeting they are e-mailed any background information so they can read it ahead of time so they don't have to spend the entire meeting trying to learn the process the committee went through. She also requested information on concerns from other entities in the community is forwarded prior to the meeting so they have all of the background information and have enough information to make a recommendation at the meeting.

PRESERVE MANAGER'S REPORT

Ms. Miller stated that she attended the National Public Lands Day event at South Mountain Park in Phoenix noting it was a successful event.

Ms. Miller stated she attended the Geocachers Round Table meeting. She further stated the Stewardship classes have started and that she was on her way to speak to the class.

FUTURE EXECUTIVE SESSION

Future Executive Session for McDowell Sonoran Preservation Commission:

MOTION WAS MADE by Commissioner Ruff TO HOLD EXECUTIVE SESSION FOR NOVEMBER 6, 2003 FOR THE PURPOSE OF DISCUSSION WITH REPRESENTATIVES OF THE PUBLIC BODY AND CONSULTATION WITH CITY ATTORNEY FOR LEGAL ADVICE TO CONSIDER ITS POSITION AND INSTRUCT ITS REPRESENTATIVES REGARDING NEGOTIATING FOR PURCHASE OR LEASE OF REAL PROPERTY FOR INCLUSION IN THE MCDOWELL SONORAN PRESERVE. ARS 38-431.03 (A) (3) and (A) (7). MOTION WAS SECONDED BY Commissioner Carr, which carried unanimously 8-0.

COMMISSIONER COMMENT AND PUBLIC COMMENTS

Commissioner Myers inquired if it would be appropriate for the Commission to communicate with the Council regarding their support of the staff and Council regarding purchasing the land from Toll Brothers. Vice-Chair Kovach stated that issue could be placed on then next agenda.

Davida Schiffman Smith stated with regard to the funding issues Carla discussed earlier she suggested making an amendment to the original documentation that a crop of the jojoba plants be removed from the Preserve and planted on City property to be sold for an annual cash flow. She further stated in the National Parks and Recreation Magazine, October issue there was an article regarding the fact that there is Federal Grant money available for purchasing land.

Mr. Meserve stated he attended a Maricopa County Planning workshop at the Rio Verde Clubhouse for about twenty square miles of unincorporated land, east of the Preserve and City boundary. The County is updating the 1979 Desert Foothills Area Plan. About 175 people attended the workshop. He further stated he would keep the Commission updated on what the County is doing regarding plans for that land and how the plans relate to the Preserve.

AGENDA ITEMS FOR FUTURE MEETINGS

Mr. Cafarella stated they would have a discussion regarding the Toll Brothers land. Commissioner Myers stated they should add the topic of the Toll Brothers land to the Executive Session agenda.

Meeting adjourned at 6:00 p.m.

Respectfully Submitted,

For the Record Court Reporters

10203min